

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2010-070566

01/12/2012

HONORABLE MICHAEL W. KEMP

CLERK OF THE COURT

J. Hill

Deputy

IN RE THE MATTER OF
JENNIFER ZARAGOZA

REBECCA MARIE MARQUIS

AND

JOHN TREVINO

JOHN TREVINO
6231 W MCDOWELL RD # 2036
PHOENIX AZ 85035

DOCKET-NW
FAMILY COURT SERVICES-CCC

JUDGMENT/DECREE - MONETARY

Prior to commencement of hearing Petitioner's exhibits 1 through 14 and Respondent's exhibits 15 through 26 were marked for identification.

Northwest Facility, Courtroom 121

10:03 a.m. This is the time set for an Evidentiary Hearing regarding Petitioner's Petition to Modify Parenting Time filed August 30, 2011. Petitioner/Mother Jennifer Zaragoza is present and represented by counsel, Rebecca Marie Marquis. Respondent/Father John Trevino is present on his own behalf.

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A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Jennifer Zaragoza, John Trevino, Steven Sheldon, Deborah Pettitt, Teresa Trevino, Yvonne Trevino and Angela Vasquez are sworn.

The Rule of Exclusion of Witnesses is invoked and the witnesses leave the courtroom.

Jennifer Zaragoza testifies.

Petitioner's exhibit 1 is received in evidence.

Respondent's exhibits 20 and 24 are received in evidence.

Deborah Pettitt testifies.

Petitioner's exhibits 9, 10 and 11 are received in evidence.

The witness is excused.

Steven Sheldon testifies.

The witness is excused.

Angela Vasquez testifies.

The witness is excused.

Teresa Trevino testifies.

The witness is excused.

12:00 p.m. Matter concludes.

LATER:

IT IS FURTHER ORDERED releasing Petitioner's exhibits 2 through 8, 12, 13 and 14 and Respondent's exhibits 15 through 19, 21, 22, 23, 25 and 26.

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The Court conducted a trial, heard evidence and accepted exhibits on January 12, 2012 on Petitioner/Mother's Petitioner's Petition to Modify Parenting Time filed August 30, 2011 and the issues of child support and attorney's fees. The Court finds that Petitioner/Mother has met her burden of showing a substantial and continuing change in circumstances, and that her proposed changes are in the best interests of the minor child herein.

IT IS THEREFORE ORDERED granting Petitioner/Mother's Petition to Modify Parenting Time.

Parenting Time.

Evidence presented at trial showed that the child does suffer from an attachment disorder and has suffered trauma. Five days away from the mother is too long of a period of time for a child at this tender age. Evidence showed that the damage associated with the attachment disorder cannot be repaired.

IT IS THEREFORE ORDERED that Respondent/Father shall have parenting time every other weekend from 6:00 p.m. on Friday to 6:00 p.m. on Sunday starting January 27, 2012. Respondent/Father shall also have parenting time every Wednesday from 3:00 p.m. to 7:00 p.m.

IT IS FURTHER ORDERED that exchanges of the child shall take place at the Wal-Mart located at 59th Avenue and Northern Avenue.

IT IS FURTHER ORDERED that neither party shall engage in corporal punishment.

Child Support.

THE COURT FINDS that the relevant financial factors required to be included, and the discretionary allowances and adjustments which the Court will allow, for a current calculation of child support pursuant to the Arizona Child Support Guidelines are set forth in the Child Support Worksheet dated January 12, 2012.

IT IS ORDERED that Respondent/Father shall pay child support to Petitioner/Mother in the amount of \$230.00 per month (plus a Clearinghouse Handling Fee of \$5.00) payable through the Support Payment Clearinghouse on the 1st day of each month commencing February 1, 2012 by wage assignment.

IT IS FURTHER ORDERED approving and settling the formal written Child Support Order signed by the Court on January 12, 2012.

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LET THE RECORD REFLECT an Order of Assignment is initiated electronically by the above-named clerk. *Although an Order of Assignment has been issued, it will not be effective until the Court receives current employer information for the party ordered to make payments.*

IT IS FURTHER ORDERED that any time an Order of Assignment is not paying the child support obligation in full, Respondent/Father shall make full and timely payments directly to the Support Payment Clearinghouse in accordance with the "Instructions for Making Support Payments through the Clearinghouse" attached hereto.

IT IS FURTHER ORDERED that Respondent/Father shall complete the "Current Employer Information" form attached hereto and file same with the Clerk of Court. Respondent/Father shall file a new form every time he changes employers for as long as support is ordered.

The parties are reminded that child support payments paid directly between the parties instead of through the Support Payment Clearinghouse should be paid in a traceable manner, such as check or money order, or signed receipt for any cash payments. Evidence of direct payments should be saved in the event child support is disputed.

Attorney's Fees.

With regard to attorney's fees, the Court finds that Respondent/Father has acted unreasonably.

IT IS THEREFORE ORDERED entering judgment in favor of Petitioner/Mother and against Respondent/Father in the amount of \$2,000.00 for her attorney's fees, with interest to accrue thereon pursuant to A.R.S. §44-1201 until paid in full.

IT IS FURTHER ORDERED signing this minute entry as a formal order of the Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

January 12, 2012

/ s / Michael W. Kemp

DATE

HONORABLE MICHAEL W. KEMP
SUPERIOR COURT JUDGE

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FILED: Exhibit Worksheet; Exhibit Release Forms (2); Child Support Order; Child Support Worksheet

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

JOHN TREVINO: Current Employer Information, Non IV-D Payment Instructions